



REMARKS

Claims 1-20 are all the claims pending in the application.

The Office Action indicates objection to the specification and the claims, and rejection of claims 16 and 17 under 35 U.S.C. § 112, first paragraph. Further, claims 5, 11, 12, 18 and 19 stand rejected under 35 U.S.C. § 112, second paragraph.

Discussion of Objections

Regarding the objection on page 7, lines 1-9, the embodiment 1, the Applicant has amended the FIG. 3-6. In the amended figures, two posts 308 and a cavity 310 are shown.

The disclosure in the specification has been objected due to numerous written errors. Applicants thank the Examiner for his careful reading of the specification. A specification amendment listed above is filed herewith to replace the unclear sentences in the originally filed document and incorporates editing as necessary thought to make the disclosure more clear. These amendments are made with support from the specification, drawings and claims as originally submitted.

Some unclear descriptions in the application are due to the improper translation from the Chinese version of the specification. For Example, in paragraph VI listed above, the original description is "The lattice is therefore disordered", in fact, the original Chinese sentence describes the orientations of the lattice in a different layer is different; in paragraph II-VI and in the claims, the original description is "axes in different layer (or different parts of one layer) are different", in fact, the original Chinese sentence describes the direction of axes in a different layer (or different parts of one layer) are different; especially in paragraph IV disclosed above, the direction of axes in different parts of one layer, such as a substrate, where the material of the substrate is amorphous or polycrystalline.

Therefore, no new matter has been added by these amendments, and Applicant respectfully requests that the objection be withdrawn.

The claims 8-12, and 16-20 have been objected to. Applicant has amended the claims to in a manner thought to resolve this objection. No new material is incorporated in the amended claims.

Discussion of the Rejections

Rejection of claims under 35 U.S.C. § 112, first paragraph

The Office Action rejected claims 16 and 17 under 35 U.S.C. § 112, first paragraph, as containing subject matter which was not described in the specification in such a way as to enable one skilled in the art to which it pertains or with which it is most nearly connected to make and/or use the invention.

Specifically, the Office Action indicated the feature where the lattices are made different from one another is not disclosed in such a way as to enable one skilled in the art to create lattices different from one another. The claims 16 and 17 are amended and no new material is incorporated in the amended claims. The Examiner is referred to Embodiment 3 of the application including paragraph VI listed above, where the lattice of the transparent conductive layer is affected by the dielectric layer beneath thereof. The lattice of the dielectric layer can be controlled by the parameters of the manufacturing process thereof.

Rejection of the claims under 35 U.S.C. § 112, second paragraph

Claims 5,11,18 and 19 are rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Applicant has amended the claims to clarify them. No new material is incorporated in the amended claims. In the amended claims “axes or axis” has been amended to “direction of the axes(axis)”.The axis include the crystal axis or the optical axis of a crystal. No new material is added by the new claims.

For at least the foregoing reasons, Applicant respectfully requests reconsideration and reexamination of claims 1-20.

Rejection of the claims under 35 U.S.C. § 103(a)

The Examiner has rejected Claims 1-4, 6-10, and 12-20 under 35 U.S.C. § 103 (a) as being unpatentable over U.S. patent 4,590,128 to Kawai. Of the rejected claims, claims 1, 7 and 13 are independent. Applicant respectfully traverses this rejection.

Kawai discloses an EL element, where the EL element can luminesce light. Kawai discloses a light absorber 15 is arranged at the light emitting side of the EL element. The light absorber 15 is constituted by a glass plate 13 and dielectric layers 14 (Col. 3, lines 27-29) and a thin transparent electrode 2 with a film thickness 2000 Å). Kawai fails to disclose an optical interference element because the EL element isn't an optical interference element. Kawai also fails to disclose an electrode with the function of absorbing light as disclosed in the invention. Kawai disclose visible light transmittance of the light absorber 15 is about 24% to 34%, as indicated by a spectral transmittance characteristic curve a of FIG. 3 and has variations falling within the range of $\pm 5\%$ with respect to the average transmittance of 29%. A preferable range of the visible light transmittances is 10% to 70%. (Col. 3, lines 37-42).

Although Kawai discloses a thin transparent electrode 2 with film thickness 2000 Å and a preferable range of the visible light transmittances is 10% to 70%, obviously, thin transparent electrode 2 with film thickness 2000 Å disclosed by Kawai can't achieve the result of absorbing more than 30% of visible light because a light absorber 15 is necessary to be arranged at the light emitting side of the EL element (Col. 3, lines 27-28). Further, Kawai fails to disclose the material of the thin transparent electrode 2 absorbs at least 30% of the incident light. Therefore, the novel features of claims 1, 7, and 13 are unobvious and patentable over these references.

Accordingly, Applicant respectfully submits that independent Claims 1, 7, and 13 as amended are allowable over the art of record and respectfully requests the 35 U.S.C. § 103 (a) rejection of Claims 1, 7, and 13 to be reconsidered and withdrawn. In addition, insofar as claims 2-6, 8-12, and 14-20 depend from independent claims 1, 7, and 13 and add further limitations thereto, the 35 U.S.C. § 103 (a) rejection of these claims should be withdrawn as well.

Reconsideration and withdrawal of this rejection is respectfully requested.

Amendment under 37 C.F.R. § 1.111
Application No. 10/670,737

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

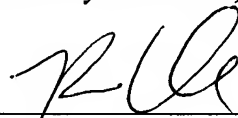
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Amendment under 37 C.F.R. § 1.111
Application No. 10/670,737

AMENDMENTS TO THE DRAWINGS

Figures 3 to 6

Attachment: Replacement Sheet(s)